

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

GEORGE K. MCKINLEY
and PAULA MCKINLEY

Plaintiffs,

v.

AMERICAN SUZUKI MOTOR
CORPORATION

Defendant.

CIVIL ACTION NO.:

NOTICE OF REMOVAL

**TO THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
MASSACHUSETTS:**

Defendant in the above entitled matter, AMERICAN SUZUKI MOTOR
CORPORATION, respectfully states as follows:

1. On or after September 27, 2010, Defendant received a Summons and Complaint in the above action of George K. McKinley and Paula McKinley v. American Suzuki Motor Corporation pending in the Berkshire County Superior Court Civil Action No.10-280. Defendant has not answered the referenced papers, and an Appearance has been filed in the Berkshire Superior Court with a Notice of Filing of this Notice of Removal.

2. This Notice of Removal is filed with this Court within 30-days after receipt by Defendant of the initial pleading setting forth the claims for relief upon which this action is based.

3. Upon information and belief, Plaintiffs, George K. McKinley and Paula McKinley, reside in Pittsfield, Berkshire County, Massachusetts.

4. Defendant, American Suzuki Motor Corporation is a corporation duly organized and existing under the laws of the State of California with a principal place of business at 3251 E. Imperial Hwy, Brea, California 92821.

5. The above-described action is a civil action over which this court has original jurisdiction under the provisions of 28 U.S.C. § 1332 and this action may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. § 1441.

6. This action is removable pursuant to the provisions of 28 U.S.C. § 1441 because this a civil action wherein the amount in controversy exceeds the sum of or value of \$75,000.00, exclusive of interest and costs, and Plaintiffs and Defendant are citizens of different states.

7. Defendant filed a Notice of Filing this Notice of Removal and a copy of this Notice of Removal with the Clerk of the Berkshire County Superior Court.

8. Defendant states that the there are no Motions pending before the Berkshire Country Superior Court to its knowledge.

9. Pursuant to Local Rule 81.1 (a), Defendant requests that the Clerk at the Berkshire County Superior Court certify or attest copies of all records or proceedings filed in the State Court and all docket entries therein, with the same to be filed with this Court within 30 days.

WHEREFORE, Defendant in the above action, now pending in Berkshire County Superior Court, prays that such action be removed to this Court.

Date: October 14, 2010

Respectfully submitted,

/s/ Bruce H. Raymond
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CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on today's date.

/s/ Bruce H. Raymond
Bruce H. Raymond

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